

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

VINCENT MASINO, KEITH LOSCALZO, RAYMOND MARIA, ANTHONY FASULO, DAVID DELUCIA and DOMENICK AGOSTINO, as Trustees and Fiduciaries of the PAVERS AND ROAD BUILDERS DISTRICT COUNCIL WELFARE, PENSION, ANNUITY AND APPRENTICESHIP, SKILL IMPROVEMENT AND TRAINING FUNDS,

Plaintiffs,

-against-

TULLY CONSTRUCTION/A.J. PEGNO JV,

Defendant.

08 Civ. 3109 (JG)

DEFAULT JUDGMENT

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ JAN 09 2009 ★
JP

BROOKLYN OFFICE

The Summons and First Amended Complaint in this action having been duly served on the above-named defendant Tully Construction/A.J. Pegno JV, and said defendant having failed to plead or otherwise defend in this action, and said default having been duly noted, and upon the annexed affidavit of default judgment.

NOW, on the motion of Virginia & Ambinder, LLP, attorneys for plaintiffs, it is hereby

ORDERED AND ADJUDGED, that plaintiffs Vincent Masino, Keith Loscalzo, Raymond Maria, Anthony Fasulo, David DeLucia and Domenick Agostino, as Trustees and Fiduciaries of the Pavers and Road Builders District Council Welfare, Pension, Annuity and Apprenticeship, Skill Improvement and Training Funds, do recover of Tully Construction/A.J. Pegno JV, the defendant with its principal place of business at 127-50 Northern Boulevard, Flushing, New York, the sum of \$3,590.02 for liquidated damages,

plus attorneys' fees and costs in the sum of \$2,454.00, amounting in all to the sum of \$6,044.02, plus interest at the legal rate in effect on the date of this judgment; and that the plaintiffs have execution therefor.

Judgment dated: January 8, 2009

By: s/John Gleeson

